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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**  
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9 Duane-Cody Carlson,

10 Plaintiff,

11 v.

12 Devrie Breanne Carlson,

13 Defendant.  
14

No. CV-22-08204-PCT-GMS

**ORDER**

15  
16 The Court has reviewed Plaintiff's Complaint for the "Administration of Property  
17 without right." (Doc. 5.) The Complaint must be dismissed for lack of subject matter  
18 jurisdiction.

19 **DISCUSSION**

20 A judge "may dismiss an action sua sponte for lack of jurisdiction." *Franklin v.*  
21 *State of Or., State Welfare Div.*, 662 F.2d 1337, 1342 (9th Cir. 1981). "[I]f the court lacks  
22 subject matter jurisdiction, it is not required to issue a summons or follow the other  
23 procedural requirements." *Id.*

24 The basic requirements for federal jurisdiction based on diversity of citizenship are  
25 outlined in 28 U.S.C. § 1332. Pursuant to the statute, a District Court has original  
26 jurisdiction over civil actions involving citizens of different states when the amount in  
27 controversy exceeds \$75,000. Plaintiff alleges that diversity jurisdiction is the basis for  
28 jurisdiction in this case. Defendant is a citizen of Arizona. (Doc. 5.) Plaintiff claims he

1 is a citizen of the “Arizona Republic,” but he provides an address in Lakeside, Arizona.  
 2 Thus, the parties are not diverse.

3 Plaintiff’s contention that he is not a citizen of the state of Arizona because he is  
 4 “one of the sovereign ‘people’” is without merit. (Doc. 5 at 9.) “Sovereign citizens” cannot  
 5 establish subject matter jurisdiction by claiming they are independent of the state in which  
 6 they reside. *See, e.g., McKenna v. HP Inc.*, No. CV-22-08016, 2022 WL 357344, at \*2 (D.  
 7 Ariz. Feb. 7, 2022) (dismissing complaint sua sponte for lack of subject matter jurisdiction  
 8 because “[c]ourts have repeatedly and emphatically rejected such sovereign-citizen-type  
 9 assertions”); *Ellena v. Fluornoy*, No. 92-1263, 1992 WL 234977, at \*1 (D.D.C. Aug. 26,  
 10 1992) (denying subject matter jurisdiction when Defendants resided in Arizona and  
 11 Plaintiff was a “self-described ‘free sovereign citizen’ of Arizona”); *Bey v. 279 Capital*  
 12 *LLC*, No. 17-CV-4488, 2020 WL 2542134, at \*2 (E.D.N.Y. May 19, 2020) (holding that  
 13 “sovereign citizen status does not support diversity jurisdiction”); *Torres v. Frye*, No.  
 14 16-cv-2067, 2016 WL 11582935, at \*1 (M.D. Fla. Aug. 16, 2016) (“This ‘sovereign  
 15 citizen’ argument has been rejected repeatedly by courts.”).

16 Because the parties are not completely diverse, Plaintiff does not establish any  
 17 jurisdictional grounds for the Court to accept this case. Thus, the Complaint is dismissed.

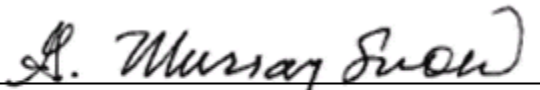
## 18 CONCLUSION

19 Accordingly,

20 **IT IS THEREFORE ORDERED** that the Complaint (Doc. 5) is **DISMISSED**  
 21 without prejudice.

22 **IT IS FURTHER ORDERED** directing the Clerk of Court to terminate this action.

23 Dated this 21st day of December, 2022.

24   
 25 G. Murray Snow  
 26 Chief United States District Judge